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September 27, 2019

BY ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Martinez v. City of New York*, 16 CV 79 (AMD) (CLP)

Your Honor:

I represent plaintiff in the above-referenced action. I write to respectfully request that the Court convene a telephone conference to address defendants' letter filed earlier this morning at DE #170.

If it should please the Court, plaintiff was surprised by defendants' letter. Indeed, the parties have been in active discussions regarding resolution of these sanctions and, as of this writing, the parties are only a few thousand dollars apart with a pending offer from defendants. *See* E-mail from defense counsel, annexed hereto as Exhibit 1. Under such circumstances, plaintiff respectfully submits that it would be prudent to discuss the issue further before burdening the Court with the dispute.

Accordingly, plaintiff respectfully requests that: 1) a telephone conference be held to address the issue; and 2) further briefing be held in abeyance.

Thank you for your consideration of this request.

Respectfully submitted,



Gabriel P. Harvis

Encl.

cc: All Counsel